

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

WILLIAM J. WHITSITT,

Plaintiff,

v.

DEPUTY SHERIFF WHEATFALL, BADGE  
#429; DEPUTY SHERIFF A. GARTH, BADGE  
# 1340; UNNAMED POLICE OFFICER;  
CENTRAL TOWING & TRANSPORT; COUNTY  
OF ALAMEDA, SHERIFF'S DEPARTMENT;  
CITY OF DUBLIN POLICE SERVICES;  
UNNAMED DEFENDANTS

Defendant.

Case No.: C08-02139 BZ

ORDER

Date: September 3, 2008  
Time: 10:00 am  
Courtroom: G

Defendants COUNTY OF ALAMEDA, SGT. WHEATFALL # 429, SGT. A. GARTH,  
#1340, ALAMEDA COUNTY SHERIFF'S OFFICE, and CITY OF DUBLIN POLICE SERVICES,  
(hereinafter "COUNTY DEFENDANTS") moved to dismiss the above-referenced action and all  
causes of action therein, pursuant to FRCP 12(b)(6). Defendant WHEATFALL did not appear /  
did appear. Defendant A. GARTH did not appear / did appear. COUNTY DEFENDANTS  
appeared by counsel Diane C. Graydon, Deputy County Counsel, Office of the Alameda County  
Counsel; Plaintiff William J. Whitsitt did not appear / did appear.

1 Based upon COUNTY DEFENDANTS' Motion and the Points and Authorities supporting  
2 its motion, and the court having considered Defendants' Motion and the Points and Authorities  
3 supporting its motion, having heard the argument of counsel, and being fully advised in the  
4 premises, orders as follows:

5 IT IS HEREBY ORDERED that this action is dismissed with prejudice.

6  
7 DATED:

By \_\_\_\_\_  
United States Judge  
Northern District of California